

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SARVINT TECHNOLOGIES, INC.,

Plaintiff,

v.

SENSORIA, INC.

Defendant.

CIVIL ACTION NO:

1:15-CV-00072-TCB

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court's Scheduling Order (D.I. 46) and Patent L.R. 6.3, Sarvint Technologies, Inc. ("Sarvint") and Sensoria, Inc. ("Defendant") submits this Joint Claim Construction Statement. Section I lists the claim terms, phrases, or clauses, in which the parties have agreed on a joint construction. Section II and Exhibit A contain Sarvint's proposed constructions for the disputed terms, along with supporting intrinsic and extrinsic evidence. Section III and Exhibit B contain Defendant's proposed construction for the disputed terms, along with identification of supporting intrinsic and extrinsic evidence. Section IV contains the anticipated length of time necessary for the Claim Construction Hearing. Section V is a summary of expert testimony that Sarvint may offer at the Claim Construction Hearing. Section VI is a summary of expert testimony that Defendant may offer at the Claim Construction Hearing.

I. Terms Proposed for Construction on Which the Parties Have Reached Agreement

As reflected in the parties' proposed construction, the parties have reached agreement on certain portions of the proposed constructions and have narrowed the disagreement on the disputed constructions for the Court. The parties agree that all claim terms not set forth in the attached Exhibits do not require construction, and should be accorded their plain and ordinary meaning as understood by a person of ordinary skill in the art.

TERM, PHRASE or CLAUSE	AGREEMENT
Monitor (claim 1)	No construction necessary
Knitted or woven (claim 1)	No construction necessary
Fabric (claim 1)	No construction necessary
Integrated therein (claim 1)	No construction necessary
Knitting or weaving (claim 1)	No construction necessary
Connection (claim 1)	No construction necessary
Connector (claim 1)	No construction necessary
Garment (claim 6)	No construction necessary

II. Sarvint's Proposed Claim Constructions and Supporting Evidence

In the chart attached as Exhibit A, Sarvint proposes constructions for the disputed claim terms and identifies intrinsic and extrinsic evidence upon which it may rely to support its proposed constructions of the '731 patent. In addition to the intrinsic and extrinsic evidence identified by Sarvint, Sarvint reserves the right to rely on any intrinsic or extrinsic evidence identified by Defendants in support of its proposed constructions. Sarvint may also rely upon intrinsic and extrinsic

evidence, including the prosecution history, to rebut the constructions proposed by Defendants.

III. Defendants' Proposed Claim Constructions and Supporting Evidence

In the chart attached as Exhibit B, Defendant proposes constructions for the disputed claim terms and identifies intrinsic and extrinsic evidence upon which it may rely to support its proposed constructions of the '731 patent. In addition to the intrinsic and extrinsic evidence identified by Defendant, Defendant reserves the right to rely on any intrinsic or extrinsic evidence identified by Plaintiff in support of its proposed constructions. Defendant may also rely upon intrinsic and extrinsic evidence, including the prosecution history, to rebut the constructions proposed by Plaintiff.

IV. Anticipated Length of Time Necessary for the Claim Construction Hearing

The parties agree that the Claim Construction Hearing in this case should be consolidated with case numbers 1:15-cv-00069, 1:15-cv-00073, 1:15-cv-00070, and 1:15-cv-00071. The parties anticipate that the consolidated Claim Construction Hearing will require approximately four (4) hours.

V. Summary of Witness Testimony that Sarvint May Offer at the Claim Construction Hearing

Although Sarvint does not contend or concede that witness testimony is necessary, Sarvint reserves the right to call upon a witness at the Claim

Construction Hearing. In the event Sarvint decides to call upon a witness, Sarvint agrees to provide such information as the topics involved to permit Defendant to conduct a meaningful deposition of that witness.

VI. Summary of Witness Testimony that Defendant May Offer at the Claim Construction Hearing

Although Defendant does not contend or concede that witness testimony is necessary, Defendant reserves the right to call upon a witness at the Claim Construction Hearing. In the event Defendant decides to call upon a witness, Defendant agrees to provide such information as the topics involved to permit Sarvint to conduct a meaningful deposition of that witness.

Dated: October 5, 2015

/s/ Bryan L. Baysinger

Peter F. Schoenthaler
Georgia Bar No. 629789
Bryan L. Baysinger
Georgia Bar No. 708496
H. Artoush Ohanian
Of Counsel
SCHOENTHALER LAW GROUP
400 Interstate N. Pkwy., SE
Suite 1500
Atlanta, Georgia 30339
Telephone: (404) 592-5397

Respectfully submitted,

/s/ Rachael A. Harris

Steven M. Auvil (PHV)
Ohio Bar No. 63827
James Alex (PHV)
Ohio Bar No. 91092
SQUIRE PATTON BOGGS (US) LLP
4900 Key Tower, 127 Public Square
Cleveland, Ohio 44114
Telephone: (216) 479-8023
Facsimile: (216) 479-8780
steven.auvil@squirepb.com
james.alex@squirepb.com

Facsimile: (404) 891-6120

pfs@pfslawgroup.com

blb@pfslawgroup.com

hao@pfslawgroup.com

*Attorneys for Plaintiff Sarvint
Technologies, Inc.*

Rachael A. Harris (PHV)

DC Bar No. 983044

SQUIRE PATTON BOGGS (US) LLP

2550 M. St, NW

Washington, DC 20037

Telephone: (202) 457-6000

Facsimile: (202) 457-6315

rachael.harris@squirepb.com

John W. Harbin

Georgia Bar No. 324130

Warren J. Thomas

Georgia Bar No. 164714

MEUNIER CARLIN & CURFMAN
LLC

999 Peachtree Street, NE

Suite 1300

Atlanta, Georgia 30309

Phone: 404-645-7700

Fax: 404-645-7707

jharbin@mcciplaw.com

wthomas@mcciplaw.com

*Attorneys for Defendant
Sensoria, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2015, I caused the above document to be electronically filed with the Clerk of Court using CM/ECF, which will send electronic notification of such filing to all registered counsel.

/s/ Bryan L. Baysinger